

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

J.K.J.,

Plaintiff,

Civil Action No. 15-cv-428-wmc

v.

POLK COUNTY AND
DARRYL L. CHRISTENSEN,

Defendants,

and

WISCONSIN COUNTY MUTUAL INSURANCE
CORPORATION,

Intervenor.

M.J.J.,

Plaintiff,

Civil Action No. 15-cv-433-wmc

v.

POLK COUNTY AND
DARRYL L. CHRISTENSEN,

Defendants,

and

WISCONSIN COUNTY MUTUAL INSURANCE
CORPORATION,

Intervenor.

DECLARATION OF LIDA M. BANNINK

LIDA M. BANNINK declares, pursuant to 28 U.S.C. § 1746 and under the penalty of perjury,
that the following is true and correct:

1. I am attorney licensed in the State of Wisconsin and admitted to practice in the Western District of Wisconsin.
2. I am one of the attorneys representing Plaintiffs M.J.J. and J.K.J. in the above-captioned matter.
3. I make this Declaration to supplement the Court's award of reasonable attorneys' fees and costs under 42 U.S.C. §1988(b).
4. The Court awarded unopposed attorney's fees and costs in the amount of \$539,822.62 pursuant to an Order dated February 5, 2018.
5. Plaintiffs have incurred additional costs and attorney's fees as a result of post-trial briefing.
6. In Plaintiffs Declaration dated 2/15/2017; Plaintiffs reserved their right to supplement their declaration with any additional fees and expenses incurred after the date of submission; the purpose of this Declaration is to outline those additional costs and expenses.
7. I filed a Declaration on 2/15/2017 which included true and correct copies of the relevant fee agreements (Exhibits A and B) and hourly rates (Exhibits F and G) which are still true and accurate and are not being duplicated for purposes of this Declaration.
8. Attached are true and correct copies of the following documents:
 - EXHIBIT A: Eckberg Lammers Time Records from 2/15/2017 for files M.J.J. and J.K.J. with redactions for privileged and confidential information which were incurred as a result of post-trial briefing.
 - EXHIBIT B: Eckberg Lammers Summary of Costs for files M.J.J. and J.K.J. which were incurred as a result of post-trial briefing.
 - EXHIBIT C: Eckberg Lammers Invoices/Expenses for files M.J.J. and J.K.J. which were incurred as a result of post-trial briefing.
9. The total attorney fees incurred as a result of the prosecution of these two civil rights actions incurred from 2/15/2017 (the date of the last Declaration) to present requested for reimbursement are \$58,905.00, *see* Exhibit A. This brings the total attorney fees requested in this matter to **\$529,600.00**.
10. The total costs incurred as a result of the prosecution of these two civil rights actions from 2/15/2017 to present requested for reimbursement are \$866.70, *see* Exhibit B and C. This brings the total costs requested in this matter to **\$69,994.32**.
11. In total, the attorney's fees and costs requested for pretrial, trial, and post-trial work is **\$599,549.32**. We request that the award of attorney's be modified to this amount.

12. I have reviewed the time entries and costs in Exhibits A, B, and C and all of the services performed were reasonable and necessary in order to prosecute these two civil rights actions.
13. The fees and costs were not incurred for any improper purpose such as delay or harassment.
14. In Exhibit A, the Column titled "client" indicates which file the work entry was for. If work was done on both files, the denotation of "MJJ/JKJ" is used.
15. As is seen on Exhibits, matter number 26233 is Eckberg Lammers internal number for the file of M.J.J., 26532 is Eckberg Lammers internal number for the file of J.K.J. Given the large overlap of shared time and expenses between the two files, it is our internal procedure that we would enter time and expenses incurred for both files under matter number 26233.
16. The redacted portions of Exhibit A include information pertaining to attorney-client communications and matters that are protected by privilege. The information redacted is particularly sensitive given that post-trial briefing remains ongoing. Upon request, Plaintiffs are willing to submit the unredacted time entries to the Court for an *in camera* review.
17. Plaintiffs reserve the right to supplement this declaration to include any additional fees/expenses after the date this declaration is submitted.

ECKBERG LAMMERS, P.C.

Dated: 02/19/2018

By: /s Lida M. Bannink
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